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STEVEN M. CISCHE  
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INDIA S. THOMPSON

2010 NOV -4 PM 2:55

November 1, 2010

**VIA MESSENGER DELIVERY**

Clerk of the Superior Court  
LASC Central  
Appeal/Transcript Unit, Room 111A  
111 North Hill Street, LA 90012

**Re: Notice of Omitted Portion of Record on Appeal**  
**Dunn v. City of Burbank, et al.**  
**LASC Case No. BC418792**

Dear Clerk:


On October 12, 2010, I sent a letter to you regarding portions of the record on appeal being omitted in connection with the referenced matter. Unfortunately, that letter incorrectly listed the case number as BC417928. The correct case number is BC418792, as indicated above. A copy of my October 12 letter is attached hereto for your reference.

Pursuant to California Rules of Court, Rule 8.155, we request that the omitted portion of the requested record be prepared, certified and sent to the Court of Appeal, Second Appellate District.

Thank you for your professional courtesy and cooperation in this matter. If you wish to discuss the above, please do not hesitate to contact our office.

Very truly yours,

LAW OFFICES OF RHEUBAN & GRESEN

  
Steven M. Cischke

SC/dj

Enclosure

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October 12, 2010

**VIA MESSENGER DELIVERY**

Clerk of the Superior Court  
LASC Central  
Appeal/Transcript Unit, Room 111A  
111 North Hill Street, LA 90012

**Re: *Notice of Omitted Portion of Record on Appeal***  
***Dunn v. City of Burbank, et al.***  
***LASC Case No. BC417928***

Dear Clerk:

Upon reviewing the Clerk's Transcript in connection with the appeal filed on February 8, 2010, in the referenced matter, we noticed that the documents listed on Attachment 4 of Appellant's Notice Designating Record on Appeal (Page 00037 of the Transcript) have not been included. For your convenience, we have attached a copy of Attachment 4, Page 00037 of the Transcript.

Pursuant to California Rules of Court, Rule 8.155, we request that the omitted portion of the requested record be prepared, certified and sent to the Court of Appeal, Second Appellate District.

Thank you for your professional courtesy and cooperation in this matter. If you wish to discuss the above, please do not hesitate to contact our office.

Very truly yours,

LAW OFFICES OF RHEUBAN & GRESEN

  
Steven M. Cischke

SC/dj

Enclosure

## Attachment

### Attachment 4

Document Title and Description: Supplemental Declaration of Kristin A. Pelletier and Request for Judicial Notice  
Date of Filing: October 1, 2009

Document Title and Description: Request for Judicial Notice in Support of Opposition to Special Motion to Strike  
Date of Filing: September 25, 2009

Document Title and Description: Declaration of Solomon E. Gresen and Christopher Dunn in Support of Opposition to Motion to Strike  
Date of Filing: September 25, 2009

Document Title and Description: Opposition to Special Motion to Strike  
Date of Filing: September 25, 2009

Document Title and Description: Special Motion to Strike  
Date of Filing: August 28, 2009

Document Title and Description: Declaration of Kristin Pelletier in Support of Special Motion to Strike  
Date of Filing: August 28, 2009

Document Title and Description: Supplemental Declaration In Support of Special Motion to Strike  
Date of Filing: August 28, 2009

Document Title and Description: Declaration of Carol Humiston In Support of Motion to Strike  
Date of Filing: August 28, 2009

Document Title and Description: Request for Judicial Notice In Support of Special Motion to Strike  
Date of Filing: August 28, 2009

Document Title and Description: Complaint  
Date of Filing: July 28, 2009

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**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles. I am over the age of eighteen and am not a party to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino, California 91436.

On October 12, 2010, I served a copy of the following document described as **NOTICE OF OMITTED PORTION OF RECORD ON APPEAL** on the interested parties in this action as follows:

Kristin A. Pelletier, Esq.	Court of Appeal of the State of California
Burke, Williams & Sorensen, LLP	Second Appellate District,
444 South Flower Street, Suite 2400	Ronald Reagan State Building
Los Angeles, California 90071	300 South Spring Street
Facsimile: (213) 236-2700	Los Angeles, CA 90013
Email: kpelletier@bwslaw.com	

Carol Ann Humiston  
Senior Assistant City Attorney  
Office of the City Attorney  
275 East Olive Avenue,  
Burbank, California 91510-6459  
Facsimile: (818) 238-5724  
Email: chumiston@ci.burbank.ca.us

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**BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as above, and placing each for collection and mailing on that date following ordinary business practices. I am "readily familiar" with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the U.S. mail Postal Service in Los Angeles, California, in a sealed envelope with postage fully prepaid.

—

**BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address listed above. My electronic notification address is dj@rglawyers.com. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

—

**BY OVERNIGHT DELIVERY:** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed as above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

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**STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on October 12, 2010, at Encino, California.

  
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Daphne Johnson

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Court of Appeal of the State of California  
Second Appellate District,  
Ronald Reagan State Building  
300 South Spring Street  
Los Angeles, CA 90013

Carol Ann Humiston  
Senior Assistant City Attorney  
Office of the City Attorney  
275 East Olive Avenue,  
Burbank, California 91510-6459  
Facsimile: (818) 238-5724  
Email: chumiston@ci.burbank.ca.us

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**BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address listed above. My electronic notification address is dj@rglawyers.com. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

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**BY OVERNIGHT DELIVERY:** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed as above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.

XX

**STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

EXECUTED on November 1, 2010, at Encino, California.

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Daphne Johnson